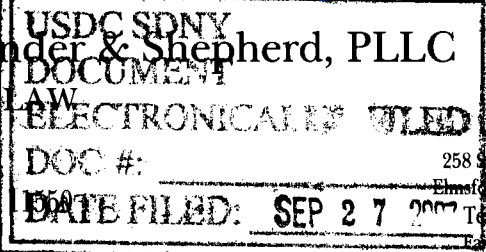


Barnes, Iaccarino, Virginia, Ambinder &amp; Shepherd, PLLC

ATTORNEYS AT LAW

3 Surrey Lane  
Hempstead, New York  
(516) 483-2990

Fax: (516) 483-2566



258 Saw Mill River Road  
Elmsford, New York 10523  
Tel: (914) 592-5740  
Fax: (914) 592-3213

ROY BARNES\*  
RICCARDO IACCARINO  
CHARLES R. VIRGINIA\*\*  
LLOYD R. AMBINDER\*\*  
WENDELL V. SHEPHERD

OF COUNSEL:

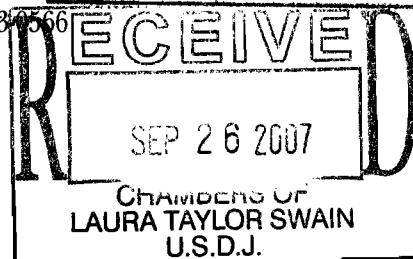
MARC A. TENENBAUM\*\*\*  
ALBERT RODRIGUES  
GIACCHINO RUSSO

KARIN ARROSPIDE  
DANIELLE M. CARNEY  
DANA HENKE^  
STEVEN KERN^^  
SAMER E. KHALAF\*\*\*  
HEIDI MAHER  
GILLIAN MCGOEY^^  
YONGMIN OH  
KELLIE T. WALKER  
JUDY S. WONG

September 24, 2007

Hon. Laura Taylor Swain, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 17C  
New York, NY 10007

Re: Operative Plasterers' and Cement Masons' International  
Association Local 262 f/k/a 530, et al. v. Binns General Construction, Inc.  
Docket No.: 07 CIV 8024 (LTS)



111 Broadway  
Trinity Centre  
Suite 1403  
New York, New York 10006  
(212) 943-9080  
Fax: (212) 943-9082

5 Mountain Avenue  
North Plainfield, New Jersey 07060  
Tel: (908) 757-2067  
Fax: (908) 753-2238

\* Also Admitted in PA  
\*\* Also Admitted in NJ  
\*\*\* Also Admitted in OH  
^ Also Admitted in DC  
^^ Also Admitted in CT  
+ Also Admitted in MD

Dear Hon. Swain:

**MEMO ENDORSED**

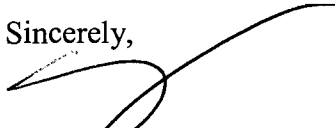
An initial conference has been scheduled for this matter on December 21, 2007 at 10:00am.

The Plaintiff in the above referenced action is respectfully requesting an adjournment of the conference due to the fact that Plaintiff's counsel will be out of town on that date. This is the first request for an adjournment. The complaint was filed on September 11, 2007 and has been sent to a process server but the defendant has not been served as of today's date. Since the defendant has not responded to the complaint, we are unable to seek their consent with regard to this request.

Please consider the following dates, with a morning time in scheduling the conference: January 18, 2007, January 22, 2007, January 23, 2007 and January 25, 2007.

Please contact me should you have any questions. Thank you for your cooperation with regard to this matter.

Sincerely,


  
Danielle M. Carney, Esq.  
DMC:lc

cc: Fund Office

adjfedcrt2

*The conference is adjourned to  
January 18, 2008, at 10:45AM and the  
related deadlines are modified accordingly.*

**SO ORDERED.**

  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE